

POPOVICH, WILES &
O'CONNELL, P.A.

RECEIVED
CENTRAL FAX CENTER
MAY 16 2005

Suite 600
650 Third Avenue South
Minneapolis, Minnesota
55402
(612) 334-8989
Fax (612) 334-8994

ATTORNEYS AND COUNSELORS AT LAW

Terry L. Wiles
(612) 334-8992

To: Examiner Darwin P. Erez Group Art Unit: 3731 Serial No.: 10/823,139 Company: United States Patent and Trademark Office Location: Alexandria, VA Phone: 571-272-4695 Fax: 703-872-9306	From: Terry L. Wiles Direct phone: 612-334-8992 Date: May 16, 2005 Pages including cover sheet: 4 Reference #: 620
--	---

Comments:

Certification of Facsimile Transmission

I hereby certify that 4 pages including cover are being facsimile transmitted to the Patent and Trademark Office on the date shown below:

Date: May 16, 2005

Signature: 

Name: Joeli Jung

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS LEGALLY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED SOLELY FOR THE USE OF THE PERSONS OR ENTITIES NAMED ABOVE. IF YOU ARE NOT SUCH PERSONS OR ENTITIES, YOU ARE HEREBY NOTIFIED THAT ANY DISTRIBUTION, DISSEMINATION OR REPRODUCTION OF THIS FACSIMILE MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE IMMEDIATELY CALL US COLLECT AT (612) 334-8989.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John C. Oslund et al.

Attorney Docket: EV31010USD1

Serial No.: 10/823,139

Group Art Unit: 3731

Filed: April 13, 2004

Examiner: Darwin P. Erez

For: IMPROVED DISTAL PROTECTION DEVICE

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is the following:

1. Response to Restriction Requirement (2 pages).

It is believed that no additional fees are due in connection with this submission. However if this is incorrect, please charge any additional fees to Deposit Account No. 16-2312. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our deposit account.

Respectfully submitted,

Date: May 16, 2005

By Patrick J. O'Connell
Customer No. 009561
Terry L. Wiles (29,989)
Patrick J. O'Connell (33,984)
Cecilia Jaisle (28,824)
POPOVICH, WILES & O'CONNELL, P.A.
650 Third Avenue South, Suite 600
Minneapolis, MN 55402
Telephone: (612) 334-8989
Attorneys for Applicants

Certification of Facsimile Transmission

I hereby certify that 4 pages including cover are being facsimile transmitted to the Patent and Trademark Office on the date shown below:

Date: May 16, 2005

Signature: Jodi Jung
Name: Jodi Jung

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John C. Oslund et al.

Attorney Docket: EV31010USD1

Serial No.: 10/823,139

Group Art Unit: 3731

Filed: April 13, 2004

Examiner: Darwin P. Erez

For: IMPROVED DISTAL PROTECTION DEVICE

RECEIVED
CENTRAL FAX CENTER
MAY 16 2005**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is responsive to the outstanding Restriction Requirement issued April 19, 2005. Claims 1 – 19, 29 – 31, 56 – 59 and 61 – 70 are pending.

The Examiner requires restriction as follows:

- I. Claims 1 – 19, 30, 31, 56 – 59 and 61 – 70, directed to a protection device and method of using the device; and
- II. Claim 29, directed to an apparatus for positioning a protection device.

Applicants elect without traverse to prosecute the claims of Group I, claims 1 – 19, 30, 31, 56 – 59 and 61 – 70.

Certification of Facsimile Transmission

I hereby certify that 4 pages including cover are being facsimile transmitted to the Patent and Trademark Office on the date shown below:

Date: May 16, 2005Signature: Jodi JungName: Jodi Jung

Response to Restriction Requirement
Applicants: John C. Oshund et al.
Serial No.: 10/823,139

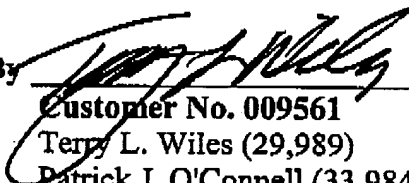
Attorney Docket: EV31010USD1

Applicants request examination on the merits of claims 1 – 19, 30, 31, 56 – 59 and 61 – 70.

If any additional fees are due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 16-2312. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our deposit account.

Respectfully submitted,

Date: 5/16/05

By: 
Customer No. 009561
Terry L. Wiles (29,989)
Patrick J. O'Connell (33,984)
Cecilia Jaisle (28,824)
Popovich, Wiles & O'Connell, P.A.
650 Third Avenue South, Ste. 600
Minneapolis, MN 55402
Telephone: (612) 334-8989
Attorneys for Applicants